

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **SOUTHERN DISTRICT OF CALIFORNIA**

8 ZIAD AYOUB,

9 Plaintiff,

10 vs.

11  
12  
13 LAW OFFICES OF MICHAEL &  
14 ASSOCIATES, et al.,

15 Defendants.

CASE NO. 12-CV-1480-IEG (BLM)

**ORDER**

1. **GRANTING JOINT  
MOTION TO DISMISS  
COUNTERCLAIM; AND**

[Doc. No. 11]

2. **DENYING PLAINTIFF'S  
MOTION TO DISMISS AS  
MOOT**

[Doc. No. 10]

16  
17 On June 18, 2012, Plaintiff Ziad Ayoub filed a complaint alleging, *inter alia*, violations of  
18 the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, by Defendants the Law Offices of  
19 Michael & Associates and American Express Bank FSB ("Amex"). [Doc. No. 1.] On August 30,  
20 2012, with its answer to the complaint, AMEX filed a counterclaim for breach of contract and  
21 related common law theories. [Doc. No. 4.] On October 6, 2012, Plaintiff filed a motion to  
22 dismiss Amex's counterclaim for a lack of jurisdiction. [Doc. No. 10.] On October 29, 2012, the  
23 parties filed a joint motion to dismiss Amex's counterclaim without prejudice. [Doc. No. 11.] For  
24 good cause shown, the Court **GRANTS** the parties' joint motion, **DISMISSES** Amex's  
25 counterclaim without prejudice, and accordingly **DENIES** Plaintiff's motion to dismiss as moot.

26 **IT IS SO ORDERED.**

27 **DATED:** November 2, 2012



**IRMA E. GONZALEZ**  
United States District Judge